

**AMENDMENTS TO THE CLAIMS**

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Currently amended) A hydrodynamic suturing instrument, comprising in combination: ~~according to claim 1 wherein said opening at said distal end is at a side of said cannula and the trailing edge of said opening is rounded.~~

a syringe having a barrel and plunger and a connector for detachably mounting a needle, the barrel having a capacity to receive a predetermined size and length of suture and sufficient fluid to draw the suture into the barrel and to expel the suture from the barrel, said syringe defining a hydraulic path and said plunger being mounted to act on the hydraulic path to draw the suture into the syringe;

an elongated cannulated suturing needle having a proximal end and a distal end, said needle comprising a lumen of a size to receive said predetermined size and length of suture extending from said proximal end to an opening at said distal end for the passage of a suture;

a connector at said proximal end adapted to connect to said syringe barrel connector and said distal end configured to pass with a suture through tissue; and

wherein said distal end is configured with a sharp point extending forward of said opening to said lumen, said opening further comprising a trailing edge, said opening configured to receive a suture extending from said lumen along an outer surface of said needle wherein said sharp point extends forward of said suture, and wherein said opening at said distal end is at a side of said cannulated suturing needle and the trailing edge of said opening is rounded.

6. (Original) A suturing instrument according to claim 5 wherein curved configuration is a cork screw configuration.

7. (Original) A suturing instrument according to claim 5 wherein said curved configuration is a hook configuration.

8. (Currently amended) A suturing instrument according to claim [[1]] 5 further comprising a stiffening cover over a major portion of said needle.

9. (Currently amended) A suturing instrument according to claim [[1]] 5 further comprising: a forceps having a distal end with jaws and a proximal end with a lever to operate at least one of said jaws and a lumen extending from said proximal end to said distal end for passage of said needle; and said jaws having an opening enabling passage of said needle through tissue grasped in said jaws.

10. (Original) A suturing instrument according to claim 9 wherein said needle is curved.

11. (Original) A suturing instrument according to claim 10 wherein said lumen has an oval configuration to aid in orienting said needle.

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Currently amended) A method for suturing comprising the steps of:

providing an elongate needle having a distal end and a proximal end and a lumen extending from said proximal end to said distal end having sufficient size for passage of a predetermined size suture, said distal end having a tip configured with a sharp point extending forward of an opening of said lumen for passage with a suture through a tissue, said opening further comprising a trailing edge on the side of said opening that is closer to said proximal end of said needle;

providing a syringe detachably connected to said needle proximal end;

selecting and introducing a length of suture into at least said needle from outside of said syringe and said needle;

filling said syringe with a quantity of liquid;

passing said distal end of said needle with said suture through a tissue to be sutured with the suture folded over the trailing edge; and

expelling said length of suture from said distal end of said needle by hydraulic force from a quantity of said liquid in said syringe.

16. (Original) A method for suturing according to claim 15 wherein said step of selecting and introducing a length of suture into at least said needle comprises: inserting an end of said suture into said distal end of said needle; submerging said distal end of said needle with said suture in a quantity of liquid; and drawing said length of suture and a quantity of liquid into said needle with said syringe.

17. (Original) A method for suturing according to claim 16 wherein said needle is provided to have a curved configuration at said distal end.

18. (Original) A method for suturing according to claim 15 wherein said needle is provided to have a stiffening cover over a major portion of said needle.

19. (Original) A method for suturing according to claim 15 further comprising the steps of:

providing an elongate tubular member having a distal end and a proximal end and a passage extending from said proximal end to said distal end, first and second jaws on said distal end disposed in opposed relation, one of said first and second jaws being movable relative to the other and having an opening there through, the other of said first and second jaws including an open end of said passage oriented toward said opening, and means at said proximal end for moving said moveable jaw between open and closed positions;

providing said elongate needle of sufficient length to extend said distal end thereof through said passage past said open end and through said opening in said one of said jaws; and

grasping a tissue to be sutured between said first and second jaws; and

extending a said distal end thereof through said passage past said open end through said tissue and through said opening in said one of said jaws.

20. (Original) A method for suturing according to claim 19 wherein said needle is provided to have a curved configuration at said distal end; and said passage having an oval configuration to accommodate and maintain said curved needle oriented.

## **SUMMARY OF INTERVIEW**

### Attendees, Date and Type of Interview

The interview was conducted telephonically on January 26, 2009 and attended by James W. Chang.

### Identification of Claims Discussed

Claim 1

### Identification of Prior Art Discussed

U.S. Patent No. 6,299,590 to Luscher

### Proposed Amendments

Applicant proposed to present Claim 5 in an independent form for the Examiner's consideration and/or a new search; and for the sake of expediency, cancel its base Claim 1.

### Principal Arguments and Other Matters

Applicant submits that the prior art references do not disclose or suggest, among others, the concept of a suturing instruments having the limitations as recited in the amended form of Claim 5.

### Results of Interview

The Examiner will consider and/or perform a search in view of the amendments to the claims; and more particularly, to features relating to a rounded trailing edge of an opening on a beveled needle tip.